UNITED STATES DISTRICT COURT District of Maine

VERTRUE INCORPORATED)	
)	
)	
V.)	
)	**Civil No. 06-135-P-S
ROBERT GRAHAM et al,)	
)	
Defendants)	
)	
)	

ORDER AFFIRMING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the Court on July 17, 2007, his Recommended Decision (Docket No. 106). Plaintiff filed its Objection to the Recommended Decision (Docket No. 108) on August 3, 2007. The Defendants filed their response in support of the Recommended Decision (Docket No. 109) on August 17, 2007.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a <u>de novo</u> determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is **ORDERED** that the Motion for Summary Judgment (Docket No. 81) filed by Defendants, Robert Graham and Michael Shane, is hereby **GRANTED**.

/s/George Z. Singal
Chief U.S. District Judge

Dated: August 28, 2007

Plaintiff

VERTRUE INCORPORATED

represented by **DONALD E. FRECHETTE**

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Counter Claimant

ROBERT GRAHAM

TERMINATED: 11/16/2006

represented by **GEORGE J. MARCUS**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Counter Claimant

MICHAEL SHANE

TERMINATED: 11/16/2006

represented by **GEORGE J. MARCUS**

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V.

Counter Defendant

VERTRUE INCORPORATED

TERMINATED: 11/16/2006

represented by **JOHN P. MCVEIGH**(See above for address) ATTORNEY TO BE NOTICED

Counter Claimant

ROBERT GRAHAM

TERMINATED: 11/16/2006

Counter Claimant

MICHAEL SHANE

TERMINATED: 11/16/2006

V.

Counter Defendant

VERTRUE INCORPORATED

TERMINATED: 11/16/2006

ThirdParty Plaintiff

ROBERT GRAHAM

TERMINATED: 11/13/2006

ThirdParty Plaintiff

MICHAEL SHANE

TERMINATED: 11/13/2006

V.

ThirdParty Defendant

JAMES DUFFY

TERMINATED: 11/13/2006

ThirdParty Defendant

GARY ARTHUR JOHNSON

TERMINATED: 11/13/2006

ThirdParty Defendant

DAVID SCHACHNE

TERMINATED: 11/13/2006